

REMARKS

This Amendment responds to the Office Action dated November 26, 2003 in which the Examiner rejected claim 16 under 35 U.S.C. § 112, second paragraph and rejected claims 9-18 under 35 U.S.C. § 103.

As indicated above, claims 9 and 11 have been amended to make explicit what is implicit in the claims. The amendments are unrelated to a statutory requirement for patentability and do not narrow the literal scope of the claims.

As indicated above, claim 16 has been amended in order to more particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Applicant respectfully submits that the amendment does not narrow the literal scope of the claim. Applicant respectfully requests the Examiner withdraws the rejection to claim 16 under 35 U.S.C. § 112, second paragraph.

Claim 9 claims a computer program for supporting manual preparatory operations for bringing a mail production apparatus into an operating condition required for production of a mail piece or a series of mail pieces, comprising instructions for: determining data regarding the required operating condition; determining at least one physical property to be realized manually of the required operating condition; registering at least one current physical property of a current condition of the mail production apparatus; determining a difference between the at least one current physical property and the at least one property to be realized manually of the required operating condition; causing an indication associated with the difference to be represented in humanly perceptible form, and subsequently causing the mail piece or the series of mail pieces to be prepared by the mail production apparatus in the operating condition.

Through the computer program comprising a plurality of instructions for bringing a mail producing apparatus into an operating condition required for production of a mail piece or series of mail pieces including determining data regarding a required operating condition, determining a difference between one current physical property and at least one property to be realized manually of the required operating condition before causing the mail pieces to be prepared, as claimed in claim 9, the claimed invention provides a computer program which allows an operator to see what needs to be done in order to bring the apparatus into a required condition in order to produce a mail piece. The prior art does not show, teach or show the invention as claimed in claim 9.

Claim 11 claims a mail production apparatus for producing mail pieces, starting from physical postal items, comprising: at least one finishing assembly, a sensor, a representation means and a control structure. The finishing assembly is for producing physical mail pieces. The sensor is for registering a current physical property of a current condition of the at least one finishing assembly. The control structure is communicatively linked with the finishing assembly, the sensor and the representation means. The control structure is provided with code for: determining data regarding an operating condition required for the production of a mail piece or a series of mail pieces; determining at least one physical property to be realized manually of the required operating condition; registering at least one current physical property of a current condition of the finishing assembly; determining a difference between the at least one current physical property and the at least one property to be realized manually of the required operating condition; causing an indication associated with the difference to be represented by the representation

means; and subsequently causing the mail piece or the series of mail pieces to be composed by the finishing assembly in the operating condition.

Through the structure of the claimed invention having a control structure having code for determining a data regarding an operating condition required for the production of a mail piece or series of mail pieces, determining a difference between at least one current physical property and at least one property to be realized manually of the required operating condition before the preparation of the mail pieces, as claimed in claim 11, the claimed invention provides a mail production apparatus which allows an operator to see what needs to be done to bring the apparatus into the required condition prior to the production of the mail pieces. The prior art does not show, teach or suggest the invention as claimed in claim 11.

Claims 9-18 were rejected under 35 U.S.C. § 103 as being unpatentable over *Anderson, Jr. et al.* (U.S. Patent No. 6,119,051).

Anderson, Jr. et al. appears to disclose a client-server system, method, and computer program for managing database driven insertion (DDI) and mail piece tracking (MPT) data for holding and managing mailroom data in a consistent and easy to use manner. (col. 1, lines 18-22) Referring now to FIG. 1, one possible client/server architecture is shown which includes a database server computer 10 used as the central repository of all data, a machine client computer (console) 20, a supervisory computer (supervisor) 30, and a computer network for operatively linking everything together. (col. 3, lines 52-57) Consider an organization that wishes to print and mail a large batch of material to a set of its customers. First, the organization generates print images within a mainframe host computer, for instance. The print images, representing all or part of the mailpiece to be sent, are forwarded

to a printer or printers to be printed on documents such as paper sheet articles. Thus, the content to be mailed is converted from electronic image to physical paper ready to be manipulated in a mail processing environment. The mainframe host computer, in this example, also generates database driven insertion data that is forwarded to the organization's mailroom database server. The database driven insertion data is then inducted or imported into the database driven insertion and mail piece tracking system. After the material has been printed and the data has been populated into the database, the mail processing machines begin processing the printed material. An operator of the mail processing machine initiates the following process: (1) Selecting and loading a "Job" for the machine. The job is defined in the database and was created previously by a user with authority and privilege to do so. The job defines (i) reader codes printed on the material, (ii) the "mode" of the machine, (iii) which inserts are loaded into the mailing machine, and (iv) the methods of stapling, folding, printing, etc. for the machine. (2) Physically loading the material on the mail processing machine. (3) If the "Name" of the database driven insertion (DDI) data is not specified on the reader codes, the user must select which set of database driven insertion data to use from the database. (4) At this point, the machine begins processing the paper, following the "Job Level" instructions contained in the Job Setup, and the "Account Level" instructions contained in the database driven insertion data. Database driven insertion data for the following eight (8) accounts is generated by host computers and sent to the database server computer. (col. 9, line 24 through col. 10, line 32) Table 5 shows that mailpieces 3643, 3644, 3644, 3645, 3646, and 3650 went to destination SH (the "normal" mailable destination), mailpiece 3647 was never "seen" by the machine

(because of a read error, for example), 3648 was OR (operator removed) for reason #546 (possibly a jam or some other problem), 3649 was diverted to the R2 (reject bin) for the same reason (#546). Table 5 also shows that the mailpieces were processed during Shift 3 and JobInstance 821. The database contains detailed information about the processing in the Job and Shift tables. Once the machine finishes processing the mailpieces, reports are generated that show which mailpieces were successful, which need to be reprinted, etc. The reports are fed back into the system to start another print run. (col. 11, line 66 through col. 12, line 12)

Thus, *Anderson, Jr. et al.* merely discloses generating a database of instructions for handling mailpiece material which causes mail processing machines to process the material according to the instructions, gathers tracking information as the mailpiece material is processed and then generates reports about the processed mailpieces. Thus, nothing in *Anderson, Jr. et al.* shows, teaches or suggests a computer program and manual production apparatus which brings the apparatus into a required operating condition prior to the preparation of a given mailpiece or series of mailpieces as claimed in claims 9 and 11. Applicant respectfully points out to the Examiner that generating a database of instructions is not the same as bringing an apparatus into a required operating condition prior to preparation of the mail piece(s).

Additionally, *Anderson, Jr. et al.* merely discloses at column 7, lines 5-22 a series of abbreviations which are used in a plurality of tables to mark the type of handling to be processed by the mail (i.e., what the instructions are for handling mail). Thus, nothing in *Anderson, Jr. et al.* shows, teaches or suggests determining data regarding the operating condition required for the production of the mailpiece or

series of mailpieces as claimed in claims 9 and 11 (i.e., determining data for the operating condition that is required prior to the production of the mailpiece). Rather, column 7, lines 5-22 of *Anderson, Jr. et al.* merely disclose abbreviations used in a plurality of tables defining the processing of the mail.

Also, *Anderson, Jr. et al.* merely discloses at column 9, lines 30-37 database driven insert data which presumably is data indicating which inserts are to be inserted into mailpieces. Nothing in *Anderson, Jr. et al.* shows, teaches or suggests data indicating a physical condition to be realized manually, (i.e., such as the actual presence of inserts in feeder stations) as claimed in claims 9 and 11.

Furthermore, *Anderson, Jr. et al.* merely discloses at column 9, line 64 through column 10, line 29 that a job defines which inserts are loaded into the mailing machine. Nothing in *Anderson, Jr. et al.* shows, teaches or suggests determining a difference between at least one current physical property and at least one property to be realized manually of the required operating condition as claimed in claims 9 and 11. In other words, column 9, line 64 through column 10, line 29 of *Anderson, Jr. et al.* does not disclose that the actual presence of the inserts is checked or that the signals to the operator depend somehow on differences between the required condition and the current condition.

Also, Table 5 and columns 11 and 12 of *Anderson, Jr. et al.* merely disclose mailpiece tracking data such as "finish time" and "final destination" which may be for instance a reject bin in response to a malfunction of the apparatus. Furthermore, Applicant respectfully submits that it does not follow from Table 5 that the weight is measured, but in fact it may be that the weight is the sum of known weights or material of which the mailpiece is composed.

Additionally, *Anderson, Jr. et al.* merely discloses in Table 4 database driven insert account data. Table 4 does not relate to the registration of data on current physical properties of a current physical condition. The column headed by "tray ID" is not the current location but merely represents information about the mailing tray the mailpiece belongs to. It is not information regarding the current location of the mailpiece because the insert data of Table 4 are data applicable before mailpiece production, so that the mailpiece does not yet exist physically. Moreover in view of the number 4464 contained under the heading of "tray ID", it seems highly unlikely that the number is the identification of the tray of the apparatus.

Additionally, column 4, lines 1-19 of *Anderson, Jr. et al.* expressly relates to tracking "as the inserter" finishes "each mailpiece". Thus, *Anderson, Jr. et al.* merely discloses to track the preparation of mailpieces. Nothing in *Anderson, Jr. et al.* shows, teaches or suggests the physical features of the operating condition of the apparatus before the mailpiece or mailpieces are prepared as claimed in claims 9 and 11.

Since nothing in *Anderson, Jr. et al.* shows, teaches or suggests establishing differences between current and required physical properties to be realized manually before preparing of the mailpieces is started or determining the data regarding the operating condition required for the production of the mailpiece or pieces as claimed in claims 9 and 11, Applicant respectfully requests the Examiner withdraws the rejection to claims 9 and 11 under 35 U.S.C. § 103.

Claims 10 and 12-18 depend from claims 9 and 11 and recite additional features. Applicant respectfully submits that claims 10 and 12-18 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Anderson, Jr. et al.* at least

for the reasons as set forth above. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 10 and 12-18 under 35 U.S.C. § 103.

New claims 19-21 have been added and recite additional features. Applicant respectfully submits that these claims are also in condition for allowance.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge
our Deposit Account No. 02-4800.

Respectfully submitted,

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